What Is the Place of Democracy in Islam?

The Capitulation of Granada, Francisco Pradilla Ortiz, 1882

The so-called crisis of authority in modern Islam is not a new story. Arguably, this term might serve as a shorthand definition of what modernity is *in general*, never mind for Islam.[1] But it is no less true that these seem like acutely fraught times within the global Islamic public sphere. It is a question of the clash of authority not only between traditionally trained religious scholars and others claiming to speak for Islamic norms and doctrines but also *among* the *ʿulemāʾ*. Admittedly, the issues that tend to divide religiously committed Muslims most predictably are political rather than narrowly theological. But certain political disputes today can seem to carry the consequences of some of the notorious doctrinal disputes among early Muslims: affiliation (*al-walāʾ*) with the like-minded and near absolute disassociation (*al-barāʾ*) with those on the other side.

The issues that can carry these stakes are familiar to anyone. Within the United States, cooperation with the government on projects funded by the notorious countering violent extremism (CVE) program, or anything associated with the Trump administration, can render certain Muslims beyond the pale in the eyes of others. Perhaps you can pray with them, but you should not share a platform with them, and their arguments need not be refuted without their prior repentance. In terms of geopolitics, alignment on either side of the United Arab Emirates/Saudi versus Qatar/Turkey axes can carry similar stakes. Being on the wrong side is not a matter of political judgment (*ijtihād*) subject to reasonable disagreement (*ikhtilāf*) but rather a matter of maliciousness toward the ummah itself that requires disavowal and repentance.

But the latter often presents itself not only as a geopolitical dispute over the conflicting interests of two different blocs of states but also as a deep doctrinal dispute over the correct political vision espoused by Islam and the proper balance between political commitments and individual spiritual perfection. One side holds the other accountable for the brutally violent counterrevolution in Egypt and ongoing antidemocratic interference in other countries, including lobbying to list certain Muslim civil society organizations in the United States as "terrorist" groups. The other side claims that obedience to rulers and scholars in political matters is the classical position in Islam, that Muslims should see government not as tyrannical but as a "gift," and that "democracy must not become a call in certain societies for civil war."

What I am interested in here are the competing claims about the status of *democracy* as a value for pious, religiously committed Muslims. When should the claims of democracy or representation be seen as the measure of legitimacy and obedience-worthiness for a Muslim government? In this essay, I am not concerned about resolving this question for Muslims of conscience. Rather, I want to ask the question "What would it mean for democracy to be a deep commitment for religious Muslims?" It is true, of course, that if democracy is a deeply held value or commitment, it is also a *newly* held value. But it does not follow that the intellectual justifications for it must be shallow or incoherent. In fact, many Muslim intellectuals throughout the twentieth century collectively produced a fairly sophisticated theory of what it would mean for a state to be both Islamic and democratic. I will explore the path to that theory and its most compelling features in this essay, as well as the intellectual and social conditions of its possibility that might point to the challenges for bringing it to life. Like all ideal

theories, the vision of an "Islamic democracy" is unlikely to be realized the way its theorists portrayed it, but it nonetheless has something to teach us about the strivings of many modern Muslims to be both free and governed under the canopy of the divine law.

Two Concepts of Democracy

No political concept enjoys universal agreement about its precise meaning and importance, and democracy is no exception. But we can begin with a weak, or thin, conception of democratic rule. We might say that a regime is democratic when the following are true: rulers do not claim to rule by divine right or their own might but by some consent of the people whom they govern; consent can be given either explicitly or implicitly but, in either case, can be revoked; legitimate rulers govern not only by consent but also through institutionalized forms of consultation; and political power is not absolute and unconstrained but is divided and checked by a combination of laws, competing institutions, and informal norms.

I would submit that this thin conception of democracy admits to wide acceptance by Sunni Muslims. While classical Sunnism did tend to recognize the authority of rulers who came to power through the sword, the normative doctrine was that rulers are (s)elected by a group of elites known as "the people who loose and bind" and acquire legitimacy not from divine appointment but from those representatives' vow of obedience (*bay¢ah*). Once in power, rulers are not true sovereigns. Their power is not absolute but rather is constrained by both law and morality. They themselves are not the sources of the law's authority but are at most the guardians of the law's execution. And decisions or policies they make in their own authority must be arrived at through consultation and are only justified if they plausibly advance the community's welfare or public interest (*maślaĥah*).

In fact, I believe it is possible to summarize some points of general consensus that together form a kind of modal modern Islamic constitutional theory. The aspects of constitutionalism that are more or less subject to agreement in modern Sunni Islamic thought are that the people are, broadly speaking, the source or origin of the legitimacy of political institutions (*al-sha¢b maśdar al-suluţāt*), can elect and supervise political officers, and can participate in various forms of consultation and lawmaking. Similarly, it is broadly agreed that elected rulers are agents or civil servants subject to the law and limited in their authority, and that all laws and

enactments are subject to some kind of shariah review. This is what is meant when some contemporary Islamic constitutional theorists claim that the state in Islam is neither theocratic nor fully secular but rather a "civil state."

This, I submit, is the *traditionalist Islamic* context for understanding the rise of popular sovereignty in modern Islamic thought and the invention of a distinct ideal regime type within which democracy is not only formally tolerated but also an important moral commitment. But before exploring that ideal regime, I would like to show how a commitment to this modal kind of Islamic constitutionalism, which might be seen as a kind of "thin democracy," might slip into a commitment to a stronger form of democracy. It is not hard to see how this follows step-by-step.

If rulers derive their right to rule from the consent of the people's representatives (the people who loose and bind), then why should the people who loose and bind not derive their right to represent the people from the people's explicit authorization or appointment? After all, the people who loose and bind are not identified specifically by the shariah but only informally and functionally. If the idea of the people who loose and bind is a kind of free-floating designation that any group can claim if it wants to depose a ruler (from the Ottoman Janissaries of old to the Egyptian military of 2013), why can't Muslims improve on this and say that, in modern conditions, the right to represent and speak for the people must be justified by the people's own authorization or appointment? Nothing in the shariah would seem to preclude that.

But then, if the people have the right to choose their representatives who are tasked with choosing their rulers, then by what rules and procedures do the people appoint the people who loose and bind? And who chooses *those rules*? It seems that the rules by which the people appoint their representatives are not a fixed matter of the shariah but are rather something subject to *ijtihād* and consultation. Let's posit that these basic rules governing the election of representatives might also be subject to the people's consent or approval. In this sense, the people might be seen as the authors and source of legitimacy of the basic rules that govern the formation of political institutions.

What, though, is the scope of this right to design the rules that govern institutions? If the people have the right to authorize entire systems of rule, and not just be represented by unelected people who loose and bind, then might not the authority of the religious scholars themselves be part of this system? Some set of rules has to

determine how various kinds of elites relate to each other, what the boundaries between their respective authorities are, and so on. And thus, if the applied, practical authority of the religious scholars is derived from the overall legitimacy of a political system authored (and authorized) by the people, then doesn't this imply that the people are in some way the source of legitimate legislative authority in an Islamic polity?

What does this mean? Well, let's assume (as noted earlier) that there is always an area of law and policy that is not sacred but rather a matter of public interest (*maślaĥah*) and subject to consultation. The basic laws governing the creation of new political institutions and the relations between them are one such area of law. What else might fall within this area of law? What the exact scope of this area of law and policy is, and where exactly its boundary is with areas governed by *fiqh*, we do not need to concern ourselves with here. The present point is twofold. First, if the authorities charged with formulating laws and policies in the people's interest (*maślaĥah*) themselves derive their authority from popular consent, then in that sense, the people are the source of authority for this kind of law. But, second, if the formulation of judgments in these areas of law is a matter of *shūrā*, then there is no canonical reason why *shūrā* cannot be widespread. Nothing in the shariah specifies who has a right to be consulted, and so there is no canonical reason to deprive the people of the right to participate in consultation on public matters that affect them. So in these two senses, the people might be seen as the ultimate source of whatever we call that area of law or policy governed by *maślaĥah* and *shūrā*.

Now this, of course, leaves open the possibility that large areas of law in a Muslim polity are still governed by the epistemic authority of religious scholars. Religious scholars may get their immediate right to propose, interpret, codify, and apply *fiqh* law from their appointment and authorization by legitimate public authorities (the way that judges traditionally had to be appointed by rulers in classical Islam). But that space is then autonomous. Religious scholars are collectively the ultimate arbiters of what counts as this kind of law. This is a recognizable and coherent vision of legitimate Islamic shariah governance (*siyāsah shar¢iyyah*). I am not questioning its plausibility or traditional status here. But I am suggesting that it is not necessarily the end of the story.

First, even in classical Islam, the right of the scholars to speak in the name of *fiqh* and to have their understanding of *fiqh* applied as the sole supreme law of Islam was not absolute or unproblematic in practice. Rulers, especially caliphs, were often involved in resolving disputes within *fiqh*, even commanding judges to enforce specific rulings. Moreover, where the acts of rulers were thought to be in violation of shariah, as pronounced by the scholars, someone had to decide whether the knowledge of the scholars or the judgment or prerogative of the rulers was supreme. That, then as now, was at the discretion of the rulers.

The Gate of the Great Umayyad Mosque in Damascus, Gustav Bauernfeind, 1890

We might put a principled gloss on this. Islamic states are ruled by two kinds of rationales: text and *maślaĥah*. Ideally, they do not conflict, and any tensions between them are harmonized. But what if they do conflict? What is the supreme, sovereign reason of power in Islam: text or *maślaĥah*? When the two conflict in specific moments, which rationale trumps the other? As often as not, it might be *maślaĥah* in the moment. Now, if *maślaĥah* in principle can stand above text for purposes of judging what ought to be applied and enforced in any given moment, and *maślaĥah* is not the sovereign preserve of the ruler but of the so-called people of consultation (the *ahl al-shūrā*, who, as we established, may include the people more broadly), then are not the people *in some way* authorized to also speak about the application of *fiqh* in contemporary circumstances? This is one way in which, even if we accept the classical dualist framework of *siyāsah shar¢iyyah*, the people's judgment of their own *maślaĥah* might be superior to the scholars' knowledge of text (*fiqh*) in specific moments of application and enforcement.

Second, in modernity, not only the supreme authority of *fiqh* but also its autonomy and distinction from other kinds of law or policy are hardly something we can take for granted. Since the nineteenth century, *fiqh* has been codified, and thereby transformed (some would say disfigured) by a variety of actors—from rulers to bureaucrats to jurists to civil society activists. Moreover, the very boundary between *fiqh* and *siyāsah*, between text and *maślaĥah*, blurs. If the shariah serves the people's welfare, then *maślaĥah* is internal to the shariah. If the people's welfare is willed by God, then the shariah is also internal to *maślaĥah*. What if, in modern states, the very distinction between *fiqh* and *siyāsah* breaks down and we are left with a unitary public juridical-political sphere in which all law must be both "compatible with the shariah" and "compatible with *maślaĥah*?" And if the people are both the source of legitimacy for all public actors and part of the people of consultation, then might the people at large not be in some way also the legislative sovereign in a modern Islamic public order?

To be sure, these are all questions and ambiguities. Those who stick to a more traditional conception of Islamic governance as the collaboration of rulers, scholars, and social elites to both rule over and represent the people are not wrong in some manifest doctrinal sense. But nor is their appeal to premodern Islamic tradition the

same as appeal to Islamic truth or certainty. Issues of governance are ultimately judged by how they advance the common weal (*maślaĥah*), and those judgments are always indeterminate (*ijtihādī*) and subject to dispute (*ikhtilāf*).

But two things must be acknowledged: (1) modern Islamic constitutional *theory* stresses the participatory role of the ummah—both in electing and appointing the government and also in whatever process is imagined for institutionalizing *shūrā* and policy-oriented lawmaking in ways not imagined by premodern tradition—and (2) the expectations of modern Muslims to hold governments accountable, articulate their own conceptions of what is in their interest, and participate in the formation of Islamic conceptions of political morality are here to stay. Whatever may or may not have been the case in the past, the reassertion of an *obligation to obey* rulers and scholars is experienced by countless Muslims as unjust.

However, this alone does not ground a thicker form of Islamic democracy. What is the argument for seeing the people as having some kind of authority, or even *sovereignty*, over both the political and legal institutions of an Islamic regime?

The Ummah as God's Caliph

The theory of an Islamic democracy is derived not just from the technicalities of classical and modern Islamic constitutional law but also from an intellectual revolution in modern Islamic thought. This revolution consisted of the move from a view of politics as just guardianship and pious representation by rulers and scholars to a distinctive vision of democracy whereby a just and pious people govern themselves while also representing God's instructions to humanity. This intellectual revolution involved more than political pragmatism or superficial adoption of democratic language. It consisted of a comprehensive reformulation of Islamic political philosophy, built in particular on a theological claim about humankind's status as God's vicegerent—or caliph—on Earth, based on a series of Qur'anic verses (particularly 2:30).[2]

It is crucial to appreciate that the divine and popular elements in Islamic democratic theory are not only in tension but often derived from the same commitments and materials. Divine command is not just a constraint on human freedom, and human freedom is not just the absence of divine command. Rather, the foundation of Islamic democratic politics is the same as the foundation of Islamic theocratic politics. That foundation is the relationship between divine address and the divine delegation. The

political theology of popular sovereignty in Islam is that the ummah has been entrusted by God with the realization of His law on Earth. God is the principal agent and actor, and the first response of the people-as-deputy is a passive and receptive one. But the force of God dignifying humankind as His caliph is that He has deputized no one else in between God and man—no kings, no priests, no scholars.

In the hands of some of these modern thinkers, this is mostly about cutting rulers down to size but is also about preserving the authority of scholars. The Pakistani thinker and political activist Sayyid Abū al-A¢lā Mawdūdī is perhaps the most important intellectual figure in modern Islam to make the ummah's status as God's caliph central to Islamic political thought: "In an Islamic state, the powers of 'vicegerency' are not vested in any one individual or family or group but in the whole Muslim community when it is blessed with the possession of an independent state."[3] Not only does he refer to the people as God's caliph to stress that the people are not sovereign ("Islam uses the term 'vicegerency' (*khilāfah*) instead of sovereignty… sovereignty belongs to God alone, and anyone who holds power and rules in accordance with the laws of God would undoubtedly be the vicegerent of the Supreme Ruler and would not be authorized to exercise any powers other than those delegated to him"[4]), but in his vision of an Islamic state, traditional scholars would have expansive rights to reformulate and codify Islamic law on the basis of their own epistemic authority. For thinkers such as Mawdūdī, the covenant of vicegerency is less about asserting the people's legislative supremacy and more about arguing that the success of Islam in the modern era will rely not on some great individual savior but rather on the ummah's vigor, strength, and virtue in enacting the divine law.

He nonetheless released into the intellectual bloodstream of modern Islamic thought the centrality of the universal caliphate to any Islamic political vision. Within decades, this doctrine had become a commonplace, an almost ubiquitous trope in modern Islamic political and constitutional theory. The people can be spoken of as the "source of all authority" (*maśdar al-suluţāt*) in almost every modern work of Islamic constitutional theory not only because of the juridical implications of the Sunni doctrine of *ikhtiyār* and the *bay¢ah* but because the ummah is God's caliph on Earth.

How is this doctrine related to a thicker form of Islamic democracy? After all, isn't it premised on the supremacy of the divine law and the people's lack of radical, original legislative sovereignty? This is true for certain more theocratic thinkers in this tradition. But for an important tradition of modern Islamic democratic theorists, the

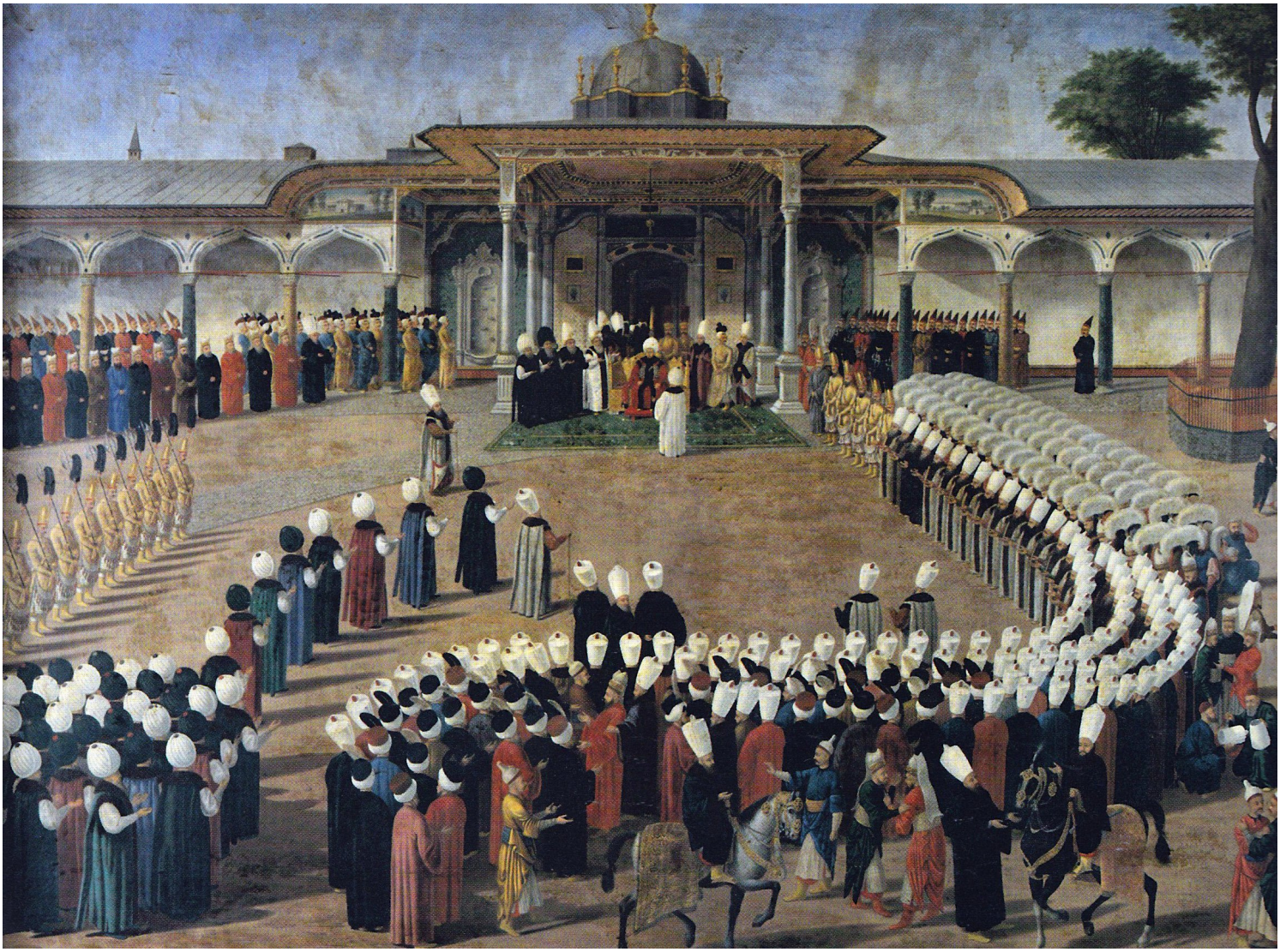
idea of the universal caliphate of humankind points beyond the mere fulfillment of the law to the popular *creation* of the law, the ultimate marker of sovereignty. Consider the views of one of the most important recent thinkers on Islam and democracy, the Tunisian intellectual (and party leader) Rāshid al-Ghannūshī. In al-Ghannūshī's account of an Islamic state, first articulated in 1993, long before the 2011 democratic revolutions, all persons holding power to deliberate on behalf of the ummah must be authorized by the ummah to deliberate about its welfare, including religious scholars. This is obviously not an original move in al-Ghannūshī's thought. What is crucial is the consistency with which he emphasizes that even those who claim the authority to interpret the divine law derive their effective political and legislative authority from popular authorization.

Al-Ghannūshī holds that a properly constituted Islamic state should guarantee that a body of top-level jurists supervises the state's legislative outputs. But this expert knowledge does not represent sovereign control: "When it comes to the legislative consultation aiming to express the ummah's consensus on important issues, it should be carried out by a body elected by the people, independent of the state, and composed of some of the best Islamic scholars and judges. Because everyone is allowed to gain knowledge of the shariah and it is not limited to any class of people, there is no reason why the jurists should be those who rule the Islamic state."[5]

Moreover, al-Ghannūshī writes that the acumen and judgment to figure out what is clear and fixed in the text, and thus what constitutes "obedience to a creature in disobedience to the Creator," belongs to all ordinary Muslims, individually and collectively. God's sovereignty is embodied in the text and law, but also in the popular judgment and interpretation that percolate throughout a Muslim society.[6] Importantly, this popular right to engage directly with the interpretation and making of law is limited neither to matters of personal piety nor to public matters of a secular nature. It also extends into the interpretation and application of the divine law. Al-Ghannūshī refers to the ummah as "the source of legislation" and notes that while God is the primary and original source of legislation, the ummah participates in divine will through its public practice of mutual consultation. Moreover, for all the binding and constraining quality of God's eternal law, "the goal of the eternity of this final, sealing law required restricting and limiting the text of revelation to a determination of general principles and a few select particulars for organizing human relations and economics." The revealed law leaves the "filling out of the details of that framework to the

legislative efforts of the ummah, developing with time," a practice that al-Ghannūshī equates with the idea of universal communal consensus (*ijmāʿ*) as a source of divine law alongside revelation. This fact induces al-Ghannūshī to proclaim that when deliberating about political matters, "the ummah is guided by God and acquires from His light protection against collective error."[7]

The distinction between divine and popular sovereignty seems to blur in al-Ghannūshī's telling. The search for a kind of collective consensus "in the Islamic shariah is dignifying man as he is."[8] The call for this communal consensus is a clear invitation to recognize public opinion across all its differences, directions, tendencies, and inclinations within the process of legislating. And here the fusion of the divine and popular takes on a poetic character. "This human element that entered into the shariah is part of it.... It is no wonder if the ummah appears with God's light or its viewpoint appears as part of prophecy and the good is what it sees as good."[8] There is an attempt, thus, to portray the human element of lawmaking not as alien to the divine but as part of it insofar as God's sovereignty is embodied not only in text but also in the ummah's public reasoning. He writes that "the human element and the shariah are of one essence, for isn't humanity infused with God's breath just like the shariah? Does the 'seal of prophecy' not mean the rule through humankind's own self-guidance and capability in steering the ship of his life by himself in light of the general rules for behavior [laid down by God]?"[9]



Ottoman Sultan Selim III before an audience in front of the Gate of Felicity

In addition to the fusion of the divine and the human, there is also an attempt to fuse the individual and the collective. The absence of a self-constituting body of "priests" implies a certain measure of direct, individual responsibility to engage with revelation. But the legislative dimension is most fully expressed at the collective level. Al-Ghannūshī refers to the public, political process by which the people at large interpret, determine, add to, and renew the shariah through the use of individual and collective reason as the moment when the "ummah's personality is recognized as expressed in a specific period of time and its public will to complete the law.... Muslims, then, decided long before Rousseau and his ilk to speak about the general will and to praise it, meaning that the people's will is free from error, as it comes from God's will, which made it a source of legislation, even if in the end it relies on the Qur'an and Sunnah."[8] The caliphate of man is fulfilled collectively when the community of deputized believers deliberates publicly about the meaning of revealed texts, the genuine interests of the ummah, the circumstances of the age, and the conditions for applying this or that legal norm.

Islamic Democratic Theory for Dark Times?

The preceding is a very brief glimpse into a much thicker vision of Islamic democracy. In this vision, the people have not only supervisory control over their rulers but also custodianship over the realization of the divine law in particular social circumstances. But what kind of people might be capable or competent to govern themselves in this way? It is very clear that this kind of ideal theory of an Islamic democracy presumes a people who are morally united around their ultimate purposes and commitments, are possessed of high levels of moral virtue in their political action, and are capable of collective public deliberation about both the common good and the meaning of the shariah.

Needless to say, these conditions are not only ideal but hard to even imagine in modern times. Leaving aside the corruption and oligarchy that plague almost all states, a harder point for many to acknowledge is that Muslim-majority societies are characterized by the same fundamental challenge of pluralism as are other modern societies. Because the Islamic democratic vision of self-rule involves a very deep kind of consensus about metaphysical truths and the ethical purposes of human life, if such deep moral agreement is no longer likely in the contemporary world, at least without the kinds of coercion and limitation on freedoms of conscience and speech that Islamic democrats claim to reject, then it would appear that Islamic democracy is at best an ideal theory that serves as a thought experiment or an aspiration always on the horizon. Indeed, when faced with the realities of democratic governance, rather than ideal theory, al-Ghannūshī personally and his Ennahda Party have made very clear that they do not aspire to an Islamic state or the application of the shariah in any way, renouncing even the legacy of "Islamism" or "political Islam" and instead defining themselves as "Muslim democrats."

If this more utopian, thicker form of a regime that is fully Islamic and fully democratic seems out of reach, what then should be the regulative ideal by which the legitimacy of Muslim states is judged? This is where some today enter, insisting that democratic aspirations are politically misguided and a distraction from spiritual priorities. Muslims should avoid the great evil of fitnah and not confuse the divine message of Islam with a political creed more akin to Marxism than to the prophetic tradition.

Perhaps it is true that an ideal form of Islamic self-rule whereby a virtuous people collectively deliberates on how to bring the divine law to life in specific moments is too utopian and far removed from political reality. Moreover, it is a mistake to think that political life and action require a highly developed, abstract theory. Citizens can act on knowledge gained from social experience and strive to improve whatever states or societies they happen to live in at any time and place. Nonetheless, this should not be mistaken for an intellectual or moral argument for antidemocratic forms of governance. Indeed, I believe the modern Islamic engagement with democratic theory at a very sophisticated level of abstraction contains some profound insights and aspirations that still constitute an important moral and intellectual legacy for Muslims and some valuable points of departure for even nonideal and pragmatic approaches to political life. I would like to point out four in particular:

1. *Islam is ummah centered*. One profound premise of modern Sunni Islamic political thought from radical theocrats to Muslim democrats is that the ummah is the embodiment of Islam in the world. This is nothing less than an *ontological* point. What exists in the world, what Islam *creates*, is a community of believers. This is not a mere truism. In Shia theology, the imams are the ontological guarantors not only of the ummah but of the universe itself. In Catholicism, the church is not just the sum of all believers but its embodied, institutional form. Nothing like this can be said for Sunnis. The ummah is the addressee of moral commands in the Qur'an and the location of certainty after the death of the Prophet. While believers may be commanded to "obey those in authority," who those in authority are is not itself an ontological reality. They derive their existence from the ummah. Thus, it is not surprising when modern Islamic political thinkers locate everything from the obligation of jihad to reconstituting an Islamic state to safeguarding the natural world in the moral responsibility and political agency of the people. This commitment is not invalidated by the failure of a specific theory of an ideal Islamic democracy.

2. *The past is a foreign country*. One noteworthy, even astonishing, feature of modern Islamic constitutional theory (even in treatises authored by academics at secular universities) is the authority of classical Islamic language. Modern treatises of hundreds of pages in length can avoid mentioning any specific modern country by name, while treating Islamic constitutionalism entirely through terms such as *ahl al-Ĥall wa al-¢aqd*, *al-bay¢ah*, *ahl al-shūrā*, and *Ĥuqūq wa wājibāt al-imām*. But the reality is that no existing Muslim state represents the unbroken legacy of classical

Islamic rules of governance. This alone does not mean Muslims should not look to classic Islamic constitutional law for inspiration, but it does mean that every such claim to represent "tradition" is a *selective appropriation and reinvention of tradition*. There should be humility and self-awareness when some modern claims are dismissed as "modern" or as influenced by non-Islamic traditions, when the reality is that *all* are. At the very least, this should help to avoid embarrassing absurdities, such as when Egyptian army officers are declared, without irony, to represent the people who loose and bind, and thus to be owed obedience. Deciding what in the Islamic tradition is authoritative and regulative, and what is subject to *ijtihād*, is the condition of *all modern Muslims*, not one subset.

3. *Government is morally dangerous*. Some modern thinkers have tried to see political life as the site of moral perfection, or at least as the condition of its possibility. This is a very unpopular idea today. But one important legacy of modern political thought (including for Muslims) is the unrelenting focus on how corruption and injustice are a moral hazard not only for individual Muslims who consort with rulers (consider the premodern tradition that counseled scholars and men of piety to avoid the company of rulers) but for society as a whole. A certain classical ruler-centered Islamic view, very common in premodern political theory, saw ordinary people and social conflict as the primary sources of danger for stability and religion, and a strong ruler as the solution to this danger. The ruler was the guarantor of order, stability, and the functioning of the law. This assumption has been flipped in modernity. Today, we are more likely to adopt the view that arbitrary power is not only unjust or tyrannical in itself but also a moral risk and danger to society as a whole. Injustice, inequality, and corruption trickle down and distort every realm of morality and social solidarity. It is not an impious people who deserve a rotten government, but rotten structures of government that poison social relations. It is not hard to see why anyone (Muslim or other) would hold this view, and modern or not, it is a precious and admirable moral achievement to see government as accountable for its harms rather than to blame the oppressed for their own oppression.

4. *The people are the guarantor of justice and morality*. In turn, then, modern Islamic political thought is much less likely to echo classical tropes about the ruler being the guarantor of justice, and still less about being the divinely blessed "shadow of God on Earth." The source of justice in social and human relations lies not in the will of benevolent rulers, nor even in legal limits on arbitrary power alone, but in collective

social consciousness and responsibility. To be sure, this is an elusive goal. Thinkers write blithely about the natural religiosity of the people (echoing perhaps Rousseau's "natural goodness of humanity") and the role of education in producing a virtuous people who would be competent to take on sovereign status. But even if we leave behind unattainable fantasies of popular sovereignty and salvation, the modern Islamic tendency to look to society (not benevolent elites) as both the source and the site of just social relations is an inclination that should be fostered rather than cynically disparaged.

A Mughal nawab holds court, circa 1800s

We live in dark times for democracy, whether of an Islamic or a liberal form. There is no denying that popular energies are as likely to generate dark forces as light ones. The self-confidence of white nationalism in America is surely stoked and channeled by elites but is no less populist in origin for that. Similarly, the dark sides of popular sovereignty in an Islamic context might include justifications for vigilante violence if it is authorized on the basis of every individual "sovereign believer's" obligation to command the right and forbid the wrong. It is understandable why elites from Washington and Brussels to Cairo and Abu Dhabi think the solution to the dark sides of popular energies is suppressing popular agency as such.

But the fact is that *there is nothing outside of the people*. Authority, by definition, is not something that can be commanded or coerced. Authority is that relationship that emerges between the few and the many when obedience is uncoerced and when people retain their freedom. Those today who wish to restore something like "authority" in politics, morality, and religion should not be surprised if this fails as long as the energies, conscience, capacities, intellect, and self-respect of the many are not given their due.

Note: *Listen to Andrew March and philosopher Caner Dagli discuss issues raised in this article on the* Renovatio *podcast at https://renovatio.zaytuna.edu/media/power-to-the-people*

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Endnotes

- 1 Hannah Arendt, "What Was Authority?" in *Between Past and Future: Eight Exercises in Political Thought* (New York: Penguin, 1968).
- 2 "And when thy Lord said to the angels: 'I am placing a vicegerent upon the Earth [*jāʿil fī al-arḍ khalīfah*],' they said: 'Wilt Thou place therein one who will work corruption therein and shed blood, while we hymn Thy praise and call Thee holy?' He said: 'Truly I know what you know not'" (*The Study Quran*, 22–22).
- 3 Maududi, *Political Theory of Islam* (Lahore: Islamic Publications, 1976), 168.
- 4 Rāshid al-Ghannūshī, *Al-Ḥurriyyāt al-ʿāmmah*, 125–26 (2015 ed., 140–41).
- 5 Al-Ghannūshī, 103 (2015 ed., 114–15).

- 6 Al-Ghannūshī, 119 (2015 ed., 133).
- 7 Al-Ghannūshī, 119 (2015 ed., 134).
- 8 Al-Ghannūshī, 120 (2015 ed., 134).
- 9 Al-Ghannūshī, 121 (2015 ed., 135).